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TO	Examiner Phuong N. Huynh United States Patent and Trademark Office	(703) 308-4315	

FROM	David Maher david.maher@bingham.com	(650) 849-4800	(650) 849-4908
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PAGES (INCLUDING THIS COVER PAGE): 10

RE Restriction Election Facsimile Transmittal

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DATE: November 4, 2002

FROM/ATTORNEY: David W. Maher

FIRM: Bingham McCutchen LLP

PAGES, INCLUDING COVERSHEET: 9

PHONE NUMBER: (650) 849-4908

TO EXAMINER: Phuong N. Huynh

ART UNIT: 1644

SERIAL NUMBER: 09/966,561

FAX/TELECOPIER NUMBER: (703) 308-4315

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FOR RESPONSES TO RESTRICTIONS.**

COMMENTS: _____

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PATENT
13761-7030

2. Request for EXTENSION of Time:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☒ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$200.00	\$400.00
<input type="checkbox"/> three months	\$460.00	\$920.00
<input checked="" type="checkbox"/> four months	\$720.00	\$1,440.00
<input type="checkbox"/> five months	\$980.00	\$1,960.00
Fee		\$720.00

- ☒ If any extension fee is required, please consider this a petition therefor.

3. Method of Payment of fee:

- ☐ Check in the amount of \$_____ is enclosed to cover the above fee(s).
- ☐ Charge Bingham McCutchen's Deposit Account No. 50-1192 in the amount of \$720.00.
- ☒ The Commissioner is authorized to charge Bingham McCutchen's Deposit Account No. 50-1192 for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. 50-1192.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: November 4, 2002By: David W. Maher

David W. Maher, Reg. No. 40,077

BINGHAM McCUTCHEN LLP
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San Francisco, CA 94111-4067
(650) 849-4400

Docket No. 13761-7030

6/A

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Phuong N. Huynh at Facsimile No. (703) 308-4315 at 6:30 p.m.

Dated: November 4, 2002

Name of Person Certifying:

Printed Name: Carolyn Tobias

Carolyn Tobias

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Miller, et al.

Assignee: University of Southern California

Filing Date: September 27, 2001

Examiner: Phuong N. Huynh

Serial No.: 09/966,561

Group Art Unit: 1644

Title: TREATING NEUROLOGICAL DISORDERS USING HUMAN APOPTOSIS INHIBITING PROTEIN

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Office Action dated June 4, 2002. This response is accompanied by a petition for a 4 month extension of time to extend the period to respond to the Office Action to November 4, 2002 and the appropriate fee under 37 C.F.R. § 1.16 and § 1.17. Accordingly this response is timely filed.

IN THE CLAIMS

The following is a clean version of the entire set of pending claims. In accordance with 37 CFR 1.21(c)(1)(ii), attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached pages are captioned "Version with markings to show changes made."

- A/
1. (Amended) A method of treating a neurological disorder in a human patient which comprises administering to said human patient an effective amount of a polypeptide comprising a sequence substantially equivalent to SEQ ID NO: 2.
 2. (Amended) The method of claim 1 wherein the polypeptide is administered in a composition further comprising a pharmaceutically acceptable carrier.